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100th Congress
1st Session

HOUSE OF REPRESENTATIVES

STUDY MISSION REPORT
US CONGRESSIONAL DELEGATION TO THE ANDEAN PARLIAMENT
PAIPA AND BOGOTA, COLOMBIA

REPORT

OF THE

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

ONE HUNDREDTH CONGRESS

FIRST SESSION

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INTRODUCTION

From March 13 to 16, 1987, at the request of The Speaker of The House of Representatives, The Honorable Jim Wright, Charles B. Rangel, Chairman of the Select Committee on Narcotics Abuse and Control, and Ranking Minority Member Benjamin A. Gilman participated in the Sixth Semi-Annual Session of the Andean Parliament. The Parliament consists of delegations from the leadership of the legislatures of each of the five Andean countries: Bolivia, Colombia, Ecuador, Peru and Venezuela. It is in these countries that all of the cocaine and much of the marijuana consumed in the United States is produced.

FOREWORD

The following is the report on the Select Committee on Narcotics Abuse and Control Study Mission to Colombia, conducted from March 13 through March 16, 1987. The delegation participated in sessions on narcotics control at the Andean Parliament on March 14, 1987, in Paipa, Colombia. The delegation also met with Bolivian Vice President Julio Garett Aillon and Colombian President Virgilio Barco Vargas. The mission was conducted at the request of House Speaker Jim Wright who had been invited to attend or send a delegation to the Andean Parliament.

Members of the Select Committee participating in this mission were: Chairman Charles B. Rangel of New York and Ranking Minority Member Benjamin A. Gilman of New York.

Accompanying them from the Select Committee staff were: Edward H. Jurith, Elliott A. Brown, and John T. Cusack. Other Congressional staff included: Ben Proctor of House Speaker Wright's staff and Patricia Bradley of Congressman Rangel's staff. Representatives of Federal agencies participating were: David Henifin and Sue Patterson of the Department of State.

ANDEAN PARLIAMENT

PAIPA, COLOMBIA, MARCH 14, 1987

The U.S. delegation attended meetings of the Narcotics Commission and the Political and International Affairs Commission of the Andean Parliament in Paipa, Colombia, on March 14, 1987.

Each of the five Member countries in the Andean Parliament, Bolivia, Colombia, Ecuador, Peru and Venezuela, is effected by the drug trade. The Andean region is the source of all the cocaine consumed in the world. Coca leaf has traditionally been cultivated in Bolivia and Peru. As an illicit market developed, some cultivation also began in Colombia, and Colombia became a major processor of cocaine.

As cocaine trafficking and abuse have further escalated around the world, coca cultivation increased within those countries and spread to neighboring countries as well. Now Ecuador and, most recently, Venezuela also grow significant quantities of coca leaf. There is also limited cultivation in neighboring Brazil and Panama.

Accompanying the coca leaf cultivation is the proliferation of clandestine cocaine processing laboratories. These laboratories are also pervasive in all five Andean countries.

The illegal trafficking of cocaine has become a serious common problem in the Andean region.

The delegation was impressed by the recognition on the part of the Andean Parliamentarians that drug trafficking and drug abuse are problems that transcend national borders, and will require regional answers. They have recognized that in order to combat narcotics trafficking and abuse, the international community will have to band together and devise collective, international solutions.

The delegation was encouraged by the willingness of the Andean nations to attempt to forge a regional strategy to combat the drug problem. The Andean legislators discussed the drafting of uniform laws and efforts to prevent drug usage in their own countries as elements of their regional plan. We look forward to the results of their efforts. The deliberations of the Andean Parliamentarians sought regional initiatives to combat this deadly drug problem that is undermining democratic institutions in the Americas.

Following the formal parliamentary sessions, members of the delegation met with the heads of national legislatures from Colombia, Bolivia and Ecuador and the Executive Director of the Andean Parliament, Ambassador Milos Alca'ay of Venezula.

In the evening, the delegation met with Vice President Julio Garett Aillon of Bolivia, to discuss the pending U.S. drug assistance program for that country.

BOGOTA, COLOMBIA

MARCH 15-16, 1987

On Sunday, March 15, the delegation returned to Bogota.

A tour of the Colombian National Police Air Base was conducted for members of the delegation. The air base was modeled after the Mexico City facility of the Mexican Attorney General's Air Wing. The unit has 20 helicopters and 14 fixed wing aircraft. There are 34 trained helicopter pilots and 26 fixed wing aircraft pilots assigned to the operation. The unit reported that from 1984 through 1986, it had eradicated 20,032 hectares of marijuana by aerial spraying.

As yet, no coca leaf spraying has been conducted. The appropriate chemical herbicide has not been identified. The delegation was informed that there is an American manufactured herbicide which would be effective, but environmental liability concerns have prevented its use at this point.

The delegation had discussions with U.S. Embassy and DEA personnel concerning the situation in Colombia. Drug enforcement activity in Colombia has reached a dangerously low point.

The Government of Colombia is paralyzed in its efforts to respond effectively to the drug trafficking organizations.

Fear and intimidation tactics have rendered the Colombian criminal justice system unable to prosecute major drug traffickers in civilian courts. Over 30 judges have been assassinated. The wives and children of judges, and public officials have also been the targets of narco-terrorist attacks.

The legislature responded with a "state of siege" law allowing the prosecution of drug traffickers in military courts, but the Colombian Supreme Court struck it down as unconstitutional.

Although drug traffickers fear extradition to the United States and prosecution in the United States, the Colombian Supreme Court has declared void the resolution implementing the extradition treaty with the United States.

There was little progress on the drug enforcement and eradication effort in Colombia in 1986. Although the marijuana eradication campaign destroyed 9,700 hectares in 1986, coca eradication continues to be nonexistent.

Moreover, since January 1, 1987, only 4 cocaine processing labs had been destroyed, although many more have been identified. Arrests of major drug traffickers are rarely made.

Our joint narcotics control effort with the Colombians has come to a standstill. The drug trafficking organizations have declared war on Colombia and are engaged in an all out effort employing fear, violence, and intimidation to permanently prevent the Government of Colombia from moving against them. This grave situation is a fatal threat to the survival of Democratic government in Colombia as well as to the other Andean nations where the traffickers are a dominant force.

On Monday, March 16, the delegation met with Mrs. Barco, the First Lady, who has commenced a crusade to educate young people on the dangers of drugs. The delegation also discussed Mrs. Barco's "child survival" program which provides child care and nutrition to two million children in impoverished Colombian neighborhoods.

Following that meeting, the delegation met with Colombian President Vergilio Barco Vargas, Minister of Government Fernando Cepeda and Foreign Minister Julio Lando.

Chairman Rangel and Congressman Gilman presented the President with a framed copy of the recently passed Congressional Resolution commending the people and the Colombian Government for their courage and dedication in fighting drugs, including those who have lost their lives in this battle.

The President explained to the delegation the technical and legal difficulties which have put into question Colombia's validation of the 1979 extradition treaty with the United States. The treaty had been signed by Mr. Barco in 1979 when he served as the Colombian Ambassador to the United States. The enabling law was approved by a vote of both houses of the Colombian Parliament. They found the treaty to be "correct and technically perfect". The enabling law, however, was signed by the Acting President, the Minister of Interior, as the President was out of the country at the time.

The Supreme Court ruled on December 12, 1986, that the treaty was invalid because the President had not signed the enabling legislation. President Barco signed it again on December 13, 1986.

President Barco explained that, while the Supreme Court might rule the 1986 signature of the President invalid because of the long time lapse, he intended to pursue other tools to

permit extradition of narcotics traffickers. Colombia has two existing extradition treaties with the United States, one from 1888 and the more recent from 1940. In addition, the multilateral Rio de Janiero Accords of 1933 would provide a basis for extradition. None of these, however, are as useful as the extradition treaty of 1979 for the extradition of narcotics traffickers.

President Barco recognized the extreme importance of finding a solution to the narcotics problem. The activities of the narco-traffickers threaten to destroy democracy in Colombia. The President stressed the need to provide improved conditions for the peasant population through development, such as providing roads, water, social help, telephones, primary schools and medical care.

The delegation then met with members of the Colombian press. It was extremely impressed by the willingness and dedication of the press to expose and spotlight the heinous activities and crimes committed by the drug traffickers. While the government has been rendered relatively helpless by the drug traffickers' acts of terrorism, especially the constant attacks on the criminal justice system, the press has taken it upon itself to wage war against the drug traffickers by educating the people on the dangers of drug trafficking and abuse.

The press noted that Guillermo Cano, the editor of El Espectador, a large Bogota newspaper, had worked hard to expose the diabolic nature of the narcotics trafficking groups. As a result, he was gunned down on December 17, 1986, as he left his newspaper office. The press held a nationwide newspaper attack on the activities of Colombia's drug lords on the day following the delegation's departure.

The delegation was pleased to learn that the dedicated men and women of Colombia's press had recognized that silent acceptance of the drug traffickers' activities would lead ultimately to a loss of all liberty and democracy in Colombia. Aware of the dangers that they face in exposing the ruthless activities of the drug traffickers, they see a united population and government against these activities as the only way to combat the drug traffickers.

Members of the delegation commended the press for its courage in attacking the drug traffickers and they stated their support for this initiative.

RECOMMENDATIONS

1. It is clear that the economic health of the drug producing nations is directly linked to their ability to successfully fight the drug trafficking organizations. We must cooperate with these nations in developing mutually beneficial trade and economic assistance programs.

2. The activities of the narcotics traffickers pose a clear and present danger to the entire Western Hemisphere. President Barco and other Andean leaders have discussed calling a summit of the Andean Presidents to discuss the narco-terrorist threat. We encouraged President Barco in this effort. We believe, however, that the summit should be taken one step further.

   We urge President Reagan to expand this effort to include all of North and South America to join in this initiative. The President of the United States needs to sit down and work with the Andean leaders as friends and neighbors.

Because of the seriousness of the situation, the United States and the nations of Latin America must stop debating who is at fault for the drug problem, i.e. producer or consumer nations. Instead, as the leaders of the Western Hemisphere, they should map out a strategy, a cooperative effort, implemented by sufficient resources, to win the war currently being waged against all of us by the drug traffickers.